Christian Community

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CURRENT THREATS TO PERSONAL FREEDOM

By Thomas B. Keehn

The January issue of CHRISTIAN COMMUNITY carried an article outlining the efforts being made to advance the social, economic and political rights of minorities. These efforts are on the positive side. However, these activities have been counteracted by threats upon basic individual rights in our democratic society. In recent years, bills which reflect the cold war between Russia and the United States and the problem of the Communist Party have been introduced in Congress. Actions by administrative agencies of government and court decisions also reflect this conflict.

Herschel D. Newsom of the Indiana Grange, Noel Sargent of the National Association of Manufacturers, George Harrison of the Brotherhood of Railway Clerks (AFL), and Walter Reuther of the United Automobile Workers (CIO), were among the nationally known speakers who addressed the Second National Study Conference on the Church and Economic Life, held at Detroit, February 16 to 19. 450 delegates appointed by Protestant denominations and councils of churches adopted a Call to the Churches reaffirming their responsibility in social and economic life. Six group conferences reported their findings on the problems of economic motivation, freedom and social control, America's responsibility for the world economy, and the program of the churches. A complete Report will be published. The background paper on the subject, *Organized Groups: Freedom of Enterprise and Social Control,* will be carried in the March issue of *Social Action.*

WHAT ARE "CIVIL LIBERTIES?"

It has become customary to distinguish between civil rights and civil liberties. The National Civil Liberties Clearing House which held its annual conference on February 23 and 24 has definitions of these two concepts which are helpful to keep in mind when you think of these problems: "*Civil rights* are the rights to freedom and equality of treatment, as against the actions of other persons, implied by the Thirteenth and Fourteenth Amendments. Included are protection against physical violence, free exercise of the right to vote, and freedom from discrimination in employment, education, public accommodation, because of race or creed. *Civil Liberties* encompass those rights derived from the Constitution which can be asserted by the people against the government—federal, state or local. Included are freedom of speech, press, religion, assembly, and right of privacy and a fair trial, as against government interference."

CIVIL LIBERTIES LEGISLATION IN THE 81st CONGRESS

In the Congress, threats to our civil liberties have been embodied in bills which generally express the philosophy that "loyal" and "American" thinking and action can be enforced by law. Very often they are couched in terms of protecting the security of the United States. Almost thirty bills of this nature have been introduced in the House and nine in the Senate thus far in the 81st Congress. The only bill of this type which has passed is the O'Mahoney rider to the Independent Offices Appropriation bills for the Atomic Energy Commission. This rider prohibits Atomic Energy Fellowships to anyone the Justice Department says it has "reasonable grounds" to call disloyal, and requires that recipients take a loyalty oath. As a result, the Atomic Energy Commission will award no new fellowships except for work involving access to secret information where, of course, a loyalty oath has always been required. The National Academy of Sciences is unwilling to continue to administer the fellowship program because they regard requirements for loyalty investigation of students doing non-secret work as an unnecessary infringement on academic freedom.

TREATMENT OF DEPORTABLE ALIENS

In this session of Congress, there has been pressure to act on several bills which would limit civil liberties. H. R. 10 (introduced by Hobbs, Ala.), the so-called concentration camp bill, has

been favorably reported by the House Judiciary Committee and the Rules Committee has been asked to consider it.

This bill would authorize the Attorney General to:

1. Deport aliens not only to the country of their birth, citizenship or last residence, but also to any country which will receive them;
2. Require aliens to give information under oath concerning their habits, associations and activities;
3. Detain indefinitely aliens, criminals or radicals as well as those aliens who entered the U. S. within ten years preceding the issuance of warrant for arrest. This power to detain is authorized where the alien cannot be deported because of inability to find a receiving country.

A minority report of the Congressional Committee criticized the bill on the grounds that:

1. An alien should not be deported to a non-native country where the language and customs would be strange;
2. The bill permits the Attorney General at his discretion to imprison for life, *without trial,* persons who have committed no crime and indeed may be guilty of no wrongdoing of any sort;
3. The bill removes the immigration proceedings from the Administration Procedure Act. It would exempt the Immigration and Naturalization Service from court authority.

Opponents of the bill have pointed out that the detention of deportable aliens for whom no receiving country could be found would be tantamount to creating concentration camps and that in spite of the fact that these persons would be without the rights of citizenship, the doctrine of imprisonment without trial should find no root in America.

It is quite likely that the Rules Committee will move to report this bill in the near future. It would therefore be necessary to defeat this bill on the floor of the House or in the Senate.

COMMUNIST REGISTRATION BILLS

In the Senate, the Mundt-Ferguson-Johnston Bill, S. 2311 is aimed specifically at the Communist Party and its allied front groups. This bill has widespread opposition because it is feared that its restrictive or punitive provisions might be extended to honest liberal groups. In attempting to detect Communists and Communist-front organizations, this bill violates freedom of speech, press and assembly and is vague in definition.

Nevertheless, S. 2311 received a unanimously favorable report from a sub-committee of the Senate Judiciary Committee. The full committee has been considering it, although several members of the committee have expressed doubt as to its constitutionality and have asked for the advice of the foremost authorities on Constitutional Law. If this bill should be reported favorably by the committee it is expected that it will pass the Senate.

Several bills would meet the problem of subversive activities by the device of "labeling." One bill, H. R. 5265 would require that organizations designated by the Attorney General as "communist, fascist, totalitarian, subversive, or seeking to overthrow the government of the United States by force and violence or other unconstitutional means" be identified as such on all matter sent through the mails. The danger in such a bill lies in the fact that no standards are set-up for selection of such groups by the Attorney General and the definitions of the characteristics of organizations in these categories are vague. This bill has been reported favorably by the House Post Office and Civil Service Committee.

LOYALTY INVESTIGATIONS OF GOVERNMENT EMPLOYEES

The investigation of the loyalty of all government employees is presently authorized by the President's Executive Order 9835. The legality of this order is now being challenged in the courts.

The Defense Department has prepared a bill, which is expected to be introduced in Congress soon to establish a permanent loyalty law. Administration spokesmen feel that such a law should be enacted regardless of whether or not the Executive Order is upheld, since the order could be withdrawn by a future President.

This bill would:

1. Write into law the authority now held by the Secretaries of State, Defense, Army, Navy and Air Force to fire disloyal or irresponsible employees;
2. Extend authority to agencies in the Atomic Energy Commission, National Security Resources Board, Coast Guard and Defense Department not covered in the present act;
3. Empower the President to extend the law to other agencies if national security warrants it;
4. Widen coverage to include employees regarded as "dangerously indiscreet" and "bad security risks" as well as "disloyal" individuals.

The agency heads will be given "absolute discretion" to make summary suspensions from employment, but the bill will carry provisions for investigation and review before the employee is actually fired.

Critics of this legislative proposal feel that employees discharged as "indiscreet" or "bad security risks" would receive the same treatment as "disloyal" individuals. It would seem that there should be provisions for the transferral of "indiscreet" employees to other agencies in government where this "characteristic" would be of no importance. This proposal should also be examined in the light of standards and rules of evidence in an appeal, and provision should be made for the employee to examine witnesses—to confront his accuser.

ON THE POSITIVE SIDE

On the positive side of the civil liberties field are a large number of bills designed to improve the investigation procedures of Congressional Committees and to protect the rights of individuals in these investigations and committee hearings.

One small but important bill involving political rights of individuals is S. 1527, a bill to provide Home Rule or self-government for residents of the District of Columbia. This bill passed the Senate and is now stymied in the House. Discharge petition No. 19 is being circulated to release this bill from committee. This bill would not only extend minimal rights to residents of Washington, but it would relieve Congress of the time-consuming job of serving as City Council for the District of Columbia.

SURVEY CIVIL LIBERTIES

Representatives of over sixty national organizations met in Washington, February 23 and 24, for the Third Annual Conference on Civil Liberties, sponsored by the National Civil Liberties Clearing House. The meeting coincided with the battle in the House over Fair Employment practices legislation — a battle which ended with approval of an ineffectual substitute bill providing for "voluntary" FEPC.

A review of state and local action on civil rights legislation revealed that progress has been made through passage of FEPC in several states. However, it was pointed out that most recent victories in this respect were in non-industrial states. Similar legislation was defeated in nineteen other states and firm opposition has been met in key industrial areas. Local ordinances have been approved in several major cities. Continued agitation for passage of civil rights bills on the state and local level is important for two reasons: (1) Organized support for legislation of this type is essential for action in Congress; and (2) a national FEPC will affect interstate commerce only. A large proportion of industry will be covered only by state action.

In considering the threats to the liberties of the individual, Francis Biddle, former Attorney General, emphasized the danger inherent in the growing acceptance of the doctrine of "guilt by association" as a criterion for determining the loyalty of an individual to his government. This trend has affected the policies of educational institutions as well as the states.

The question was raised as to whether the aura of secrecy which surrounds the activities of the FBI is wholly justified. Government employees accused of disloyalty are deprived of the traditional opportunity to confront their accusers. Recent developments with regard to wire-tapping, opening of mails, and evidence of existence of files on large numbers of private citizens who are in no way related to "security senstitive" activities raise other questions about the effectiveness of some of the measures taken in the name of national security. The hope was expressed that some method can be devised for an evaluation of our present security program, for open public discussion of the essentials of such a program.

Handling Controversial Subjects

By Herman F. Reissig

What happened in the Watchung Avenue Congregational Church in Montclair, New Jersey, didn't get into the newspapers but it was exciting news just the same. Good news, too, thanks to a wise minister, a sensible director of religious education and lay people whose intelligence and Christian spirit give one hope for the future.

When the young people of the church met with their leader, Miss Ruth Walker, to plan the year's program, one of them asked for some discussions on communism. Since young people are not isolated from the world around them, that seems a natural enough request. But one member of the Pilgrim Fellowship threw in a bit of a bombshell. Why, he wanted to know, must they hear about communism only from people who are opposed to it? Why couldn't they invite a communist to talk to them? Ordinarily, almost anyone would agree that if you want to study a proposal you ought to hear about it directly from someone who believes in it—after which criticisms are in order. But feelings about communism run high. Most of us are so determined to stop communism that we don't want to listen to anyone who's for it. Since communism is a threat to religion and freedom, this is understandable enough.

Miss Walker took the problem to the minister, Adelbert J. Buttrey. That was a wise first step. Mr. Buttrey agreed that they would best move carefully. There was a possibility of doing more harm than good. Older members of the congregation might be strongly against inviting a communist to speak in their church. Nevertheless, when young people asked a question or sought an open door they were entitled to a sympathetic response. Wouldn't it be a good idea to fit the talk by a communist into a series of discussions so that there would be ample opportunity for analysis and evaluation? If this were done, said the minister, he would be delighted to back up the project.

In a few days a bulletin went out to the young people announcing a series of three meetings on the subject, "What is Communism?" First meeting, "Some Historical Facts." Talk by a well-informed Christian woman. Second Meeting, Address by the chairman of the Essex County Communist Party. Third meeting, "Christian Evaluation of Communism," led by the Minister. No sooner had the bulletin been delivered than the reactions came in. They came in fast. Strong words were said to the minister over the telephone. These meetings would have to be stopped. Objections were made to some of the deacons and the deacons carried their sense of disturbance to the minister. This was a second point at which bad mistakes could have been made. The minister might have become frightened and asked his young people to call off their plans. He might have said, "We'll go through with this no matter who objected!" He did neither. He suggested that the next meeting of the Board of Deacons, scheduled for the following week, be used for full exploration of this matter from *the viewpoint of long-range policy*. Everyone agreed and the agenda of the deacons' meeting was cleared to give the problem the right of way.

"At the Board meeting," says Mr. Buttrey, "there was a long and intelligent discussion of the principles involved in planning a young people's program, with specific reference to the series on communism. When the vote came the deacons approved the program by 5 to 2. The two negative votes were not belligerent and there was a very friendly discussion throughout. One of the deacons who has a daughter in the Pilgrim Fellowship said, 'I would rather have my child hear about communism and hear a communist speaker under the guidance of the church than to have her hear about it when she gets to college where she may not have opportunity for full evaluation'."

The deacons appointed a committee to attend the series of meetings and report back. They asked that the report of the committee deal not only with the

meetings on communism but with general principles which would be useful in future situations involving controversial issues. The four members of this committee were present at the discussion on communism. Then they prepared their report and submitted it to the deacons. After full discussion, it was unanimously adopted. The fears of the two deacons who had voted against the series were allayed. Mr. Buttrey says, "As an educational project we considered the whole thing a grand success. It evoked a response from the young people greater than I have ever seen in my ministry." He goes on to say that all the excitement has died down and he doubts whether such a situation will ever rise again "because this statement gives us a kind of Magna Charta to proceed with almost any kind of controversial issue."

The report of the committee is so wise that it should be shared with other churches. Here it is.

REPORT TO THE BOARD OF DEACONS
WATCHUNG AVENUE CONGREGATIONAL CHURCH
MONTCLAIR, NEW JERSEY

The informal committee appointed by the Board of Deacons to evaluate the Pilgrim Fellowship Discussion Series on Communism, initiated and developed by the young people, is pleased to submit the following report:

Representative members of the committee attended the meetings of the Pilgrim Fellowship and the discussion periods which followed.

The committee was impressed by the seriousness of purpose of the young people as they participated in these three programs and by the maturity and integrity which was evident in their approach to the problem. They were attentive to the presentations, and the questions which they raised demonstrated an acute awareness of the problems involved. Many of the questions and statements which came from the young people reflected the hysteria of our times, but for the most part our young people gave evidence of a sincere desire to get all the facts and to pry into the meaning and implication of the facts presented. There was no indication that they are easily swayed by propaganda or emotional appeal.

After having sat through these three meetings and discussed the procedures informally amongst themselves, your committee wishes to express its faith in the democratic educational process and its approval of the policy of encouraging young people to assume responsibility for planning and executing the programs for their evening meetings. This series of meetings seems to demonstrate that if we, as adults, make evident our confidence in our young people and give them the assistance and support which they so very much need, they will reward us by developing the responsibility and maturity to which we aspire for them.

Our Church should be proud indeed that its young people are interested in attempting to think their way through some of the most bitterly controversial issues of our times and we should be gratified that they come to the Church for assistance and guidance.

In summary, your committee wishes to make the following observations and recommendations:

1. That the experience of the Pilgrim Fellowship in discussing the issues of Communism, Democracy, and Christianity was valuable and worthwhile for all of the participators.

a) It resulted in a better understanding of the objectives and methods of revolutionary communism.

b) It clarified thinking on democratic and Christian values.

c) There was no evidence that communism was found to be attractive or creditable.

2. The Church should encourage the development of programs for our young people which stimulate social and intellectual development. The committee has confidence in the judgment and skill in group leadership of our church staff.

3. As Congregationalists we should not be afraid of controversial issues. Freedom of discussion and individual choice is of the essence of our denomination.

4. At the conclusion of the series there seemed to be need for further clarification of the meaning of democracy and of the legitimate ways through which a democratic people may peacefully achieve social reform. We recommend that the program committee of the Pilgrim Fellowship consider the possibility of a further discussion of this topic.

5. Democracy is not only a political form; it is a philosophical system and a way of life which is best understood through practice, best learned through action. In order to make democracy a living reality for our young people we recommend that plans be formulated for programs designed and organized to develop democratic patterns of action and social feeling within the group itself.

Respectfully yours,

(Signed) G. Derwood Baker
Elizabeth M. Stovel
Edward Vollmar
Ernest R. Wood

CHRISTIAN COMMUNITY
Requests for regular mailings or additional copies for Congregational Christians should be addressed to Ray Gibbons Director, Council for Social Action, 289 Fourth Avenue, New York 10, New York. Requests by Evangelical and Reformed, and others, as well as news items and communications, should be addressed to the Editor, Huber F. Klemme, Commission on Christian Social Action, 2969 West 25th Street, Cleveland 13, Ohio.

PREACHER UNDER FIRE

A Michigan pastor, the Reverend Albert W. Kauffman, of the Congregational Church of Vernon, last summer read an editorial in the magazine *Soviet Russia Today,* commenting on certain individuals and groups who opposed the North Atlantic Treaty and proposed "peaceful" alternatives. He wrote a letter to the magazine, attributing our tension with Russia as being due to "capitalist ideology" and the activity of "foolish patriotic organizations" and "legionnaires."

The letter was reported by columnist George Sokolsky. The executive board of the Michigan department of the American Legion demanded a public apology. Members of the Owosso post threatened to picket the church, but apparently thought better of it. Pressure was brought upon officials of the church, and upon the board of education of Sunfield where he is superintendent of the schools.

Mr. Kauffman explained that he had been misunderstood; his criticism had not been directed against the American Legion. Congregational Christian ministers of Detroit called upon the church not to be high-pressured into denial of the freedom of the pulpit. The Social Action Cabinet of the Michigan Council of Churches likewise declared its opposition to any effort to intimidate a citizen in his exercise of free speech.

According to our last report, temperate opinion has prevailed and Mr. Kauffman continues his service in school and church.

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Our contributors are the Reverend Thomas B. Keehn, Legislative Secretary, and the Reverend Herman F. Reissig, International Relations Secretary, of the Council for Social Action.